

**Appl. No.** : 10/803,272  
**Filed** : March 18, 2004

**Docket No.** LOMASR.021CP1  
**Customer No.** 20,995

### **REMARKS**

The following remarks are responsive to the July 21, 2005 Office Action. Claims 1-20 remain as originally filed and are presented for further consideration in view of the following remarks.

#### **Comments on Supplemental Declaration Filed Herewith**

Applicants submit herewith a supplemental declaration signed by all the inventors pursuant to 37 C.F.R. § 1.67 which corrects deficiencies or inaccuracies present in the earlier-filed declaration. The earlier-filed declaration misidentified the application to which it was directed and omitted a claim of priority to U.S. Patent Application No. 10/690,983. This claim of priority was properly identified in the first paragraph of the originally-filed application and on the transmittal sheet accompanying the originally-filed application.

#### **Response to Rejection of Claims 1-20 for Obviousness-Type Double Patenting**

In the July 21, 2005 Office Action, the Examiner rejects Claims 1-20 under the judicially-created doctrine of obviousness-type double patenting over Claims 1, 2, 6-8, 11, 12, 14-17, 24, 34, 35, 39, 40, 41, and 43-45 of copending U.S. Patent Application No. 10/690,983.

In the interest of expediting allowance of the present application, Applicants are submitting herewith a terminal disclaimer to overcome the obviousness-type double patenting rejection of Claims 1-20. Applicants' submission of this terminal disclaimer to obviate the nonstatutory double patenting rejection is not an admission of the propriety of the rejection (*see*, M.P.E.P. § 804.02 (II), August 2001, page 800-32). Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-20 and pass these claims to allowance.

#### **Summary**

For the reasons stated above, Applicants submit that Claims 1-20 are in condition for allowance, and Applicants respectfully request such action.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

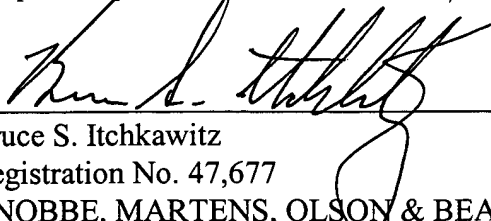
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Respectfully submitted,

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